

JASON M. FRIERSON
United States Attorney
District of Nevada
Nevada Bar No. 7709
VIRGINIA T. TOMOVA
Assistant United States Attorney
Nevada Bar No. 12504
501 Las Vegas Blvd. So., Suite 1100
Las Vegas, Nevada 89101
(702) 388-6336
Virginia.Tomova@usdoj.gov
Attorneys for the United States of America

UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

Mark Clifford Sykes, Sui Juris,

Plaintiff,

v.

Las Vegas Metropolitan Police
Department of Clark County Nevada
(LVMPD), Officer S. Hunt, badge number
P#17602, Officer Smith, badge number
P#9643, National Crime Information
Center (NCIC), et al.

Defendants.

Case No. 2:21-cv-01479-RFB-DJA

**United States' Motion to Set Aside
Clerk's Entry of Default Against
National Crime Information Center
(NCIC)**

The United States of America moves the Court to set aside the clerk's entry of default against the National Crime Information Center (NCIC) (ECF No. 44) for the following reasons. The United States became very recently aware of the Plaintiff's Second Amended Complaint filed against NCIC (ECF No. 22). NCIC is a computerized index of missing persons and criminal information designated for the rapid exchange between criminal justice agencies, and it is not an agency of the United States. The United States is not a party to the Plaintiff's Second Amended Complaint. The United States has not been served with process under Federal Rule of Civil Procedure 4(i). Nevertheless, out of an abundance of caution and given these deficiencies the United States files the instant motion to terminate default proceedings.

/ / /

1 Accordingly, there is a good cause to set aside the clerk's entry of default against
2 NCIC under Rule 55(c).

3 Respectfully submitted this 6th day of July 2023.

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5 JASON M. FRIERSON
United States Attorney

6 /s/ Virginia T. Tomova
7 VIRGINIA T. TOMOVA
Assistant United States Attorney
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Certificate of Service

I hereby certify that on July 6, 2023, I electronically filed and served the foregoing United States' Motion to Set Aside Clerk's Entry of Default Against National Crime Information Center (NCIC) with the Clerk of the Court for the United States District Court for the District of Nevada using the CM/ECF system and via US Mail to the following persons and/or entities at the following addresses:

Mark Clifford Sykes
P.O. Box 91614
Henderson, NV 89009
Plaintiff Pro Se

JASON M. FRIERSON
United States Attorney

/s/ Virginia T. Tomova
VIRGINIA T. TOMOVA
Assistant United States Attorney